



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,049	12/07/2000	Shunpei Yamazaki	SEL 232	9973

7590

01/30/2003

COOK, ALEX, McFARRON, MANZO
CUMMINGS & MEHLER, LTD.
SUITE 2850
200 WEST ADAMS STREET
CHICAGO, IL 60606

EXAMINER

GEMMELL, ELIZABETH M

ART UNIT

PAPER NUMBER

2882

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/732,049

Applicant(s)

YAMAZAKI ET AL.

Examiner

Beth Gemmell

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The disclosure is objected to because of the following informalities:

- A detailed description of Figure 1 is included within the Subheading "Summary of the Invention".

The applicant is reminded that the Summary of the Invention subheading should contain a brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). If possible, the nature and gist of the invention or the inventive concept should be set forth. **Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.** (Emphasis added)

The applicant is further reminded that if indeed the detailed description of Figure 1 is cancelled from the Summary of the Invention subheading, it must be incorporated into the Detailed Description subheading.

Appropriate corrections are required.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-9, 11-15, 17 and 18 are rejected under 35 U.S.C. 102(b) as being anticipated by Vodicka (US Patent 3,219,865).

Re claims 1, 7 and 13: Vodicka discloses, in figure 6 and throughout the disclosure, a light-emitting device, comprising: a first substrate (5) having a luminous element and a first group of wirings electrically connected to the luminous element (7-13); a second substrate (4) having a terminal portion and a second group of wirings electrically connected to the terminal portion (4b, column 7, lines 33+); a conductor for electrically connecting the first group of wirings and the second group of wirings (20, column 7, lines 38+); a sealing agent for bonding the first substrate and the second substrate together (3); and a resin filled in a space between the first substrate and the second substrate (columns 3 and 4, lines 74+).

Art Unit: 2882

Re claims 2, 8, and 14: Vodicka discloses, in column 3, lines 55+, the luminous element is an EL element.

Re claims 3,9, and 15: Vodicka discloses, in column 7, lines 31+, the fact that the wirings of the first group of wirings are similar to the second group of wirings. Therefore, Vodicka discloses, in column 5, lines 69+, the wirings are made of copper or aluminum.

Re claims 5,11, and 17: Vodicka discloses, in columns 7+, lines 73+, the second group of wirings formed on a front surface, a back surface or the interior of the second substrate.

Re claims 6, 12, and 18: Vodicka discloses, in figure 6 and throughout the disclosure, a via hole that is covered by the second group of wirings, formed on the second substrate (17).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4, 10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vodicka in view of Kaneko et al. (US Patent 6,137,218).

Vodicka fails to disclose wirings formed into a layered structure made of a metallic film made of two or more different elements selected from copper, silver, gold, aluminum, and nickel.

Kaneko et al. discloses, in column 13, lines 57+, wirings formed into a layered structure made of a metallic film made of two or more different elements selected from copper, silver, gold, aluminum, and nickel.

One of ordinary skill in the art at the time the invention was made would have been motivated to combine the light emitting device with wirings formed into a layered structure made of a metallic film made of two or more different elements selected from copper, silver, gold, aluminum, and nickel because the wires can be made thinner (column 14, lines 1+) therefore reducing the overall surface area of the light emitting device.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Gemmell whose telephone number is (703) 305-1937. The examiner can normally be reached on Monday-Thursday 6:30-5.

Art Unit: 2882

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

emg
January 15, 2003


ROBERT H. KIM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800